

July 27, 2009

G. Paul Bollwerk, III, Chair
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Dr. Anthony J. Baratta
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Dr. William W. Sager
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

In the Matter of
TENNESSEE VALLEY AUTHORITY
(Bellefonte Nuclear Power Plant, Units 3 and 4)
Docket Nos. 52-014 and 52-015

Dear Administrative Judges:

As requested in the Licensing Board's June 25, 2009, Memorandum and Order, the NRC staff (Staff) is hereby providing the Licensing Board and parties with new information regarding the Staff's schedule for completion of the Draft Environmental Impact Statement ("DEIS"). As noted in the enclosed letter from Gregory P. Hatchett to Ashok S. Bhatnagar,¹ the Staff has determined that it will not issue the DEIS until after the Tennessee Valley Authority's Board of Directors decides whether it intends to complete Bellefonte Nuclear Plant, Units 1 and 2. This decision is currently scheduled for the first half of fiscal year 2011.

¹ Letter from Gregory P. Hatchett, Branch Chief, Environmental Projects Branch 1, Division of Site and Environmental Reviews, Office of New Reactors, to Ashok S. Bhatnagar, Senior Vice President, Nuclear Generation Development and Construction, Tennessee Valley Authority, "Change in Schedule of Bellefonte Nuclear Plant, Units 3 and 4 Combined License Application Draft Environmental Impact Statement," July 21, 2009 (ML091870303).

Judge Bollwerk
Judge Sager
Judge Barratta

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As further requested in the June 25, 2009, Memorandum and Order, the Staff will provide a further schedule update to the Licensing Board and parties on September 1, 2009.

Respectfully submitted,

/signed (electronically) by/
Jody C. Martin
Counsel for NRC Staff
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Enclosure: As stated

cc w/encls:
See attached certificate of service

July 21, 2009

Mr. Ashok S. Bhatnagar, Senior Vice President
Nuclear Generation Development and Construction
Tennessee Valley Authority
1101 Market Street
Chattanooga, Tennessee 37402-2801

SUBJECT: CHANGE IN SCHEDULE OF BELLEFONTE NUCLEAR PLANT, UNITS 3 AND 4
COMBINED LICENSE APPLICATION DRAFT ENVIRONMENTAL IMPACT
STATEMENT

Dear Mr. Bhatnagar:

By letter dated May 1, 2009, the Tennessee Valley Authority (TVA) informed the Nuclear Regulatory Commission staff that it is currently evaluating the viability of completing Bellefonte Nuclear Plant (Bellefonte), Units 1 and 2. The letter also stated that TVA anticipates that sufficient information will be gathered by the first half of fiscal year 2011 to allow the TVA Board of Directors (TVA Board) to determine whether these units should be completed. Therefore, the staff has determined that it will not issue the draft environmental impact statement (DEIS) for the Bellefonte, Units 3 and 4 combined license (COL) application until after TVA's Board decision on whether to proceed with completion of Bellefonte, Units 1 and 2.

Accordingly, the staff intends on completing the draft EIS, short of publication, based on the current scope of the environmental impacts submitted within TVA's COL application. Should TVA's Board decision alter the current scope of the agency's NEPA review for Bellefonte Units 3 and 4, we would need to evaluate the impacts to the schedule and resources needed to complete the environmental review for the proposed reactors.

Should you have any questions regarding the environmental review, please contact Mallecia Hood, the Environmental Project Manager for the Bellefonte COL application at (301) 415-0673 or by e-mail at mallecia.hood@nrc.gov.

Sincerely,

/RA/

Gregory P. Hatchett, Branch Chief
Environmental Projects Branch 1
Division of Site and Environmental Reviews
Office of New Reactors

Docket Nos. 52-014, 52-015

cc: See next page

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
TENNESSEE VALLEY AUTHORITY) Docket Nos. 52-014 and 52-015
)
Bellefonte Nuclear Power Plant)
(Units 3 and 4))

CERTIFICATE OF SERVICE

I hereby certify that copies of NRC Staff letter dated July 27, 2009, have been served upon the following persons by Electronic Information Exchange this 27th day of July, 2009:

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